

**U.S. District Court
District of Maryland (Baltimore)
CIVIL DOCKET FOR CASE #: 1:19-cv-01956-ELH**

McKenzie–El v. Internal Revenue Service et al
Assigned to: Judge Ellen L. Hollander
Cause: 05:552 Freedom of Information Act

Date Filed: 07/02/2019
Jury Demand: Plaintiff
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Riker McKenzie–El

represented by **Riker McKenzie–El**
6639 Dogwood Rd
Baltimore, MD 21207
PRO SE

V.

Defendant

Internal Revenue Service

Defendant

David Kautter
*in his official capacity as Acting
Commissioner*

Defendant

Ann Willis
*in her official capacity as Operations
Manager*

Defendant

Christine Davis
*in her official capacity as Operations
Manager*

Defendant

United States of America

represented by **Katherine M Reinhart**
United States Department of Justice
Tax Division
PO Box 227
Washington, DC 20044
2023076528
Fax: 2025146866
Email: Katherine.Reinhart@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Ports America Chesapeake, LLC

represented by **Michael John Collins**
Michael J. Collins PC
7104 Biter Lane
Highland, MD 20777–0277
14109677614
Fax: 410–773–9900
Email: michael@mjcollinslaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**Steamship Trade Assn/International
Longshoremen's Assn (STA)**

represented by **Michael John Collins**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|-----------|--|
| 07/02/2019 | <u>1</u> | COMPLAINT against Christine Davis, Internal Revenue Service, David Kautter, Ports America Chesapeake, LLC, Steamship Trade Assn/International Longshoremen's Assn (STA), United States of America, Ann Willis filed by Riker McKenzie-El. (Filing fee \$ 400 receipt number 14637116149) (Attachments: # <u>1</u> Civil Cover Sheet)(hmls, Deputy Clerk) (Entered: 07/02/2019) |
| 07/02/2019 | <u>2</u> | MOTION for Temporary Restraining Order and/or Preliminary Injunction by Riker McKenzie-El. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order) (hmls, Deputy Clerk) (Entered: 07/02/2019) |
| 07/02/2019 | <u>3</u> | ORDER DIRECTING that until plaintiff files the returns of service, the Court will not consider <u>2</u> Motion for Preliminary Injunction. Signed by Judge Ellen L. Hollander on 7/2/2019. (c/m) (cc:AUSA Loucks) (hmls, Deputy Clerk) Modified on 7/3/2019 (hmls, Deputy Clerk). (Entered: 07/03/2019) |
| 07/03/2019 | <u>4</u> | CORRECTED ORDER DIRECTING that until plaintiff files the returns of service, the Court will not consider <u>2</u> Motion for Preliminary Injunction. Signed by Judge Ellen L. Hollander on 7/3/2019. (c/m) (cc:AUSA Loucks) (hmls, Deputy Clerk) Modified on 7/3/2019 (hmls, Deputy Clerk). (Entered: 07/03/2019) |
| 07/08/2019 | <u>5</u> | CERTIFICATE OF SERVICE by Riker McKenzie-El re <u>3</u> Order. (Attachments: # <u>1</u> Receipt) (hmls, Deputy Clerk) (Entered: 07/08/2019) |
| 07/16/2019 | <u>6</u> | Correspondence re: Tampering, Destruction of U.S. Postal Service Mail by Riker McKenzie-El. (hmls, Deputy Clerk) (Entered: 07/16/2019) |
| 07/22/2019 | <u>7</u> | MOTION to Quash <i>Service for Insufficiency of Process</i> by Ports America Chesapeake, LLC (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1 – SDAT, # <u>3</u> Exhibit 2 – PAC resident agent, # <u>4</u> Text of Proposed Order)(Collins, Michael) (Entered: 07/22/2019) |
| 07/22/2019 | <u>8</u> | MOTION to Quash <i>Service for Insufficiency of Process</i> by Steamship Trade Assn/International Longshoremen's Assn (STA) (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1 – SDAT Filing, # <u>3</u> Exhibit 2 – Resident Agent, # <u>4</u> Text of Proposed Order)(Collins, Michael) (Entered: 07/22/2019) |
| 07/29/2019 | <u>9</u> | ORDER directing Plaintiff to SUBMIT completed summons to the Clerk within 21 days of the date of this Order. Signed by Judge Ellen L. Hollander on 7/29/2019. (kw2s, Deputy Clerk)(C/M of Order & Blank Summons 7.29.19) (Entered: 07/29/2019) |
| 07/29/2019 | <u>10</u> | AMENDED MOTION for Temporary Restraining Order, MOTION for Preliminary Injunction by Riker McKenzie-El (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order, # <u>3</u> Certificate of Service)(kw2s, Deputy Clerk) (Entered: 07/29/2019) |
| 07/31/2019 | <u>11</u> | RESPONSE in Opposition re <u>7</u> MOTION to Quash <i>Service for Insufficiency of Process</i> filed by Riker McKenzie-El. (Attachments: # <u>1</u> Text of Proposed Order) (hmls, Deputy Clerk) (Entered: 07/31/2019) |
| 07/31/2019 | <u>12</u> | RESPONSE in Opposition re <u>8</u> MOTION to Quash <i>Service for Insufficiency of Process</i> filed by Riker McKenzie-El. (Attachments: # <u>1</u> Text of Proposed Order)(hmls, Deputy Clerk) (Entered: 07/31/2019) |
| 07/31/2019 | <u>13</u> | PROOF OF SERVICE by Riker McKenzie-El. (hmls, Deputy Clerk) (Entered: 08/01/2019) |

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| 08/02/2019 | <u>14</u> | Summons Issued 60 days as to Christine Davis, Internal Revenue Service, David Kautter, Ports America Chesapeake, LLC, Steamship Trade Assn/International Longshoremen's Assn (STA), United States of America, Ann Willis, U.S. Attorney and U.S. Attorney General (c/m 8/2/19)(krs, Deputy Clerk) (Entered: 08/02/2019) |
| 08/07/2019 | <u>15</u> | PROOFS OF SERVICE by Riker McKenzie-El (hmls, Deputy Clerk) (Entered: 08/07/2019) |
| 08/07/2019 | <u>16</u> | PROOFS OF SERVICE by Riker McKenzie-El (krs, Deputy Clerk) (Entered: 08/08/2019) |
| 08/08/2019 | <u>17</u> | PROOFS OF SERVICE by Riker McKenzie-El (krs, Deputy Clerk) (Entered: 08/08/2019) |
| 10/03/2019 | <u>18</u> | MOTION to Dismiss by United States of America (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Proposed Order)(Reinhart, Katherine) (Entered: 10/03/2019) |
| 10/04/2019 | <u>19</u> | Rule 12/56 notice mailed to Riker McKenzie-El (hmls, Deputy Clerk) (Entered: 10/04/2019) |
| 10/04/2019 | <u>20</u> | MOTION for Summary Judgment by Riker McKenzie-El. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order, # <u>3</u> Exhibit 3 and 4, # <u>4</u> Exhibit 5, # <u>5</u> Exhibit 6, # <u>6</u> Exhibit 7, # <u>7</u> Exhibit 11, # <u>8</u> Exhibit 12, # <u>9</u> Exhibit 15) (Exhibits 3-7, 11-12, and 15 docketed exactly as received/marked)(dass, Deputy Clerk) (Entered: 10/07/2019) |
| 10/07/2019 | <u>21</u> | Supplemental Exhibits to <u>20</u> MOTION for Summary Judgment filed by Riker McKenzie-El. (Attachments: # <u>1</u> Additional Exhibit 3, # <u>2</u> Additional Exhibit 4, # <u>3</u> Additional Exhibit 6 & 7, # <u>4</u> Exhibit 9)(dass, Deputy Clerk) (Entered: 10/08/2019) |
| 10/09/2019 | <u>22</u> | MOTION to Dismiss for Failure to State a Claim by Ports America Chesapeake, LLC (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Collins, Michael) (Entered: 10/09/2019) |
| 10/09/2019 | <u>23</u> | MOTION to Dismiss for Failure to State a Claim by Steamship Trade Assn/International Longshoremen's Assn (STA) (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Collins, Michael) (Entered: 10/09/2019) |
| 10/09/2019 | <u>24</u> | Rule 12/56 notice mailed to Riker McKenzie-El. (hmls, Deputy Clerk) (Entered: 10/09/2019) |
| 10/09/2019 | <u>25</u> | Rule 12/56 notice mailed to Riker McKenzie-El. (hmls, Deputy Clerk) (Entered: 10/09/2019) |
| 10/16/2019 | <u>26</u> | RESPONSE in Opposition re <u>20</u> MOTION for Summary Judgment filed by Ports America Chesapeake, LLC.(Collins, Michael) (Entered: 10/16/2019) |
| 10/16/2019 | <u>27</u> | RESPONSE in Opposition re <u>20</u> MOTION for Summary Judgment filed by Steamship Trade Assn/International Longshoremen's Assn (STA).(Collins, Michael) (Entered: 10/16/2019) |
| 10/16/2019 | <u>28</u> | MOTION for Extension of Time by United States of America(Reinhart, Katherine) (Entered: 10/16/2019) |
| 10/16/2019 | <u>29</u> | NOTICE by United States of America re <u>28</u> MOTION for Extension of Time <i>Proposed Orders</i> (Attachments: # <u>1</u> Proposed Order 2)(Reinhart, Katherine) (Entered: 10/16/2019) |
| 10/16/2019 | <u>30</u> | ORDER GRANTING <u>28</u> Alternative Motion of USA to Deny <u>20</u> Motion of Plaintiff for Summary Judgment. Signed by Judge Ellen L. Hollander on 10/16/2019. (cc/m 10.17.2019) (hmls, Deputy Clerk) (Entered: 10/17/2019) |
| 10/22/2019 | <u>31</u> | ORDER RETURNING Document. Signed by Judge Ellen L. Hollander on 10/22/2019. (Attachments: # <u>1</u> Returned Document) (hmls, Deputy Clerk) (Entered: 10/23/2019) |
| 10/29/2019 | <u>32</u> | RESPONSE in Opposition re <u>23</u> MOTION to Dismiss for Failure to State a Claim filed by Riker McKenzie-El. (Attachments: # <u>1</u> Text of Proposed Order) (hmls, Deputy Clerk) (Entered: 10/29/2019) |

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| 10/29/2019 | <u>33</u> | RESPONSE in Opposition re <u>22</u> MOTION to Dismiss for Failure to State a Claim filed by Riker McKenzie–El. (Attachments: # <u>1</u> Text of Proposed Order) (hmls, Deputy Clerk) (Entered: 10/29/2019) |
| 10/29/2019 | <u>34</u> | RESPONSE in Opposition re <u>18</u> MOTION to Dismiss filed by Riker McKenzie–El. (Attachments: # <u>1</u> Text of Proposed Order) (hmls, Deputy Clerk) (Entered: 10/29/2019) |
| 11/01/2019 | <u>35</u> | REPLY to Response to Motion re <u>18</u> MOTION to Dismiss filed by United States of America.(Reinhart, Katherine) (Entered: 11/01/2019) |
| 11/04/2019 | <u>36</u> | REPLY to Response to Motion re <u>22</u> MOTION to Dismiss for Failure to State a Claim filed by Ports America Chesapeake, LLC.(Collins, Michael) (Entered: 11/04/2019) |
| 11/04/2019 | <u>37</u> | REPLY to Response to Motion re <u>23</u> MOTION to Dismiss for Failure to State a Claim filed by Steamship Trade Assn/International Longshoremen's Assn (STA).(Collins, Michael) (Entered: 11/04/2019) |
| 11/07/2019 | <u>38</u> | Local Rule 103.3 Disclosure Statement by Riker McKenzie–El. (Attachments: # <u>1</u> Attachment)(hmls, Deputy Clerk) (Entered: 11/12/2019) |
| 11/07/2019 | <u>39</u> | Amended MOTION for Summary Judgment by Riker McKenzie–El. (Attachments: # <u>1</u> Exhibit 16, # <u>2</u> Text of Proposed Order) (hmls, Deputy Clerk) (Entered: 11/12/2019) |
| 11/12/2019 | <u>40</u> | Return Document ORDER. Signed by Judge Ellen L. Hollander on 11/12/2019. (hmls, Deputy Clerk) (Additional attachment(s) added on 11/13/2019: # <u>1</u> Returned Document) (hmls, Deputy Clerk). (Entered: 11/13/2019) |
| 11/13/2019 | <u>41</u> | Return Document ORDER. Signed by Judge Ellen L. Hollander on 11/13/2019. (Attachments: # <u>1</u> Returned Document) (hmls, Deputy Clerk) (Entered: 11/14/2019) |
| 11/13/2019 | <u>42</u> | Return Document ORDER. Signed by Judge Ellen L. Hollander on 11/13/2019. (Attachments: # <u>1</u> Returned Document) (hmls, Deputy Clerk) (Entered: 11/14/2019) |
| 11/15/2019 | <u>43</u> | MOTION to Stay <i>Discovery and to Deny Plaintiff's Amended Motion for Summary Judgment as Premature</i> by United States of America (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Proposed Order)(Reinhart, Katherine) (Entered: 11/15/2019) |
| 11/15/2019 | <u>44</u> | MOTION to Stay <i>Discovery and Motion to Deny Plaintiff's Amended Motion for Summary Judgment as Premature</i> by Ports America Chesapeake, LLC (Attachments: # <u>1</u> Text of Proposed Order)(Collins, Michael) (Entered: 11/15/2019) |
| 11/15/2019 | <u>45</u> | MOTION to Stay <i>Discovery and Motion to Deny Plaintiff's Amended Motion for Summary Judgment as Premature</i> by Steamship Trade Assn/International Longshoremen's Assn (STA) (Attachments: # <u>1</u> Text of Proposed Order)(Collins, Michael) (Entered: 11/15/2019) |